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PTO/SB/21 (08-00)

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| TRANSMITTAL FORM   |  | Application Number  |  |
|--|--|---|--|
| (to be used for all correspondence after initial filing)                     |  | 10/654,413  |  |
|  |  | Filing Date   |  |
|  |  | September 3, 2003   |  |
|  |  | First Named Inventor  |  |
|  |  | Chuck D. Morris   |  |
| Group Art Unit   |  |   |  |
| Examiner Name  |  |   |  |
| Attorney Docket Number   |  | 15047US01   |  |
| Total Number of Pages in This Submission                                     |  | 51  |  |
| ENCLOSURES (check all that apply)  |  |   |  |
| <input type="checkbox"/> Fee Transmittal Form                                |  | <input type="checkbox"/> Assignment Papers (for an Application)                         |  |
| <input type="checkbox"/> Fee Attached  |  | <input type="checkbox"/> Drawing(s) (        sheets)                                    |  |
| <input type="checkbox"/> Amendment/Reply                                     |  | <input type="checkbox"/> Licensing-related Papers                                       |  |
| <input type="checkbox"/> After Final   |  | <input type="checkbox"/> Petition   |  |
| <input type="checkbox"/> Affidavits/declaration(s)                           |  | <input type="checkbox"/> Petition to Convert to a Provisional Application               |  |
| <input type="checkbox"/> Extension of Time Request                           |  | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address |  |
| <input type="checkbox"/> Express Abandonment Request                         |  | <input type="checkbox"/> Terminal Disclaimer  |  |
| <input checked="" type="checkbox"/> Information Disclosure Statement         |  | <input type="checkbox"/> Request for Refund   |  |
| <input checked="" type="checkbox"/> PTO 1449/08A with 5 references           |  | <input type="checkbox"/> CD Number of CD(s) _____                                       |  |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              |  |   |  |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    |  |   |  |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |  |   |  |
| Remarks  |  |   |  |



Attorney Docket No. 15047US01

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Attorney Docket No. 15047US01)

In the Application of:

**Chuck D. Morris and  
Garry Graham**

Serial No. **10/654,413**

Filed: **September 3, 2003**

For: **PLAYGROUND  
FOUNDATION  
FORMED OF A  
COMPOSITE  
LAYERED SURFACE**

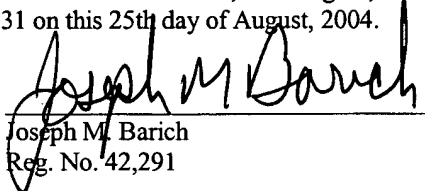
Examiner:

Group Art Unit: **1772**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231 on this 25th day of August, 2004.

By:

  
Joseph M. Barich  
Reg. No. 42,291

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97-1.98 and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, it is respectfully requested that the following references be considered in the examination of the above-identified patent application:

| <u>U.S. PATENT NO.</u> | <u>DATE</u> | <u>INVENTOR(S)</u> |
|------------------------|-------------|--------------------|
| 5,958,527              | 9-28-99     | Prévost            |
| 6,338,885              | 1-15-02     | Prévost            |
| 6,551,689              | 4-22-03     | Prévost            |

OTHER DOCUMENTS

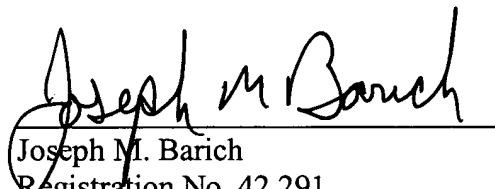
"Turf Wars" by Guy Tridgell, July 30, 2003, Daily Southtown

ASTM Standard Consumer Safety Specification for Playground Equipment for Public Use (Designation F 1487 – 98) / CPSC Handbook for Public Playground Safety (Pub. No. 325)

The above-identified reference(s) are listed on the attached PTO Form 1449. This submission is in no way intended as an admission that the above-cited references constitute prior art. Applicant expressly retains the right to take any actions necessary to remove the above-cited references from the available prior art. Consideration of the above-identified references in the examination of the present patent application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Account No. 13-0017.

Respectfully submitted,

  
Joseph M. Barich  
Registration No. 42,291  
Attorney for Applicant

August 25, 2004  
Date

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Form PTO-1449  
(Rev. 8-83)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO.

15047US01

SERIAL NO.

10/654,413

INFORMATION DISCLOSURE CITATION  
(Use several sheets if necessary)

APPLICANT:

Chuck D. Morris and Garry Graham

FILING DATE

September 3, 2003

GROUP  
ART UNIT:  
1772

## U.S. PATENT DOCUMENTS

| *EXAMINER<br>INITIAL |   | DOCUMENT NUMBER | DATE    | NAME    | CLASS | SUBCLASS | FILING DATE<br>IF APPROPRIATE |
|----------------------|---|-----------------|---------|---------|-------|----------|-------------------------------|
|                      | A | 5,958,527       | 9-28-99 | Prévost |       |          |                               |
|                      | B | 6,338,885       | 1-15-02 | Prévost |       |          |                               |
|                      | C | 6,551,689       | 4-22-03 | Prévost |       |          |                               |
|                      | D |                 |         |         |       |          |                               |
|                      | E |                 |         |         |       |          |                               |
|                      | F |                 |         |         |       |          |                               |
|                      | G |                 |         |         |       |          |                               |
|                      | H |                 |         |         |       |          |                               |
|                      | I |                 |         |         |       |          |                               |

## FOREIGN PATENT DOCUMENTS

|  |  | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION |    |
|--|--|-----------------|------|---------|-------|----------|-------------|----|
|  |  |                 |      |         |       |          | YES         | NO |
|  |  |                 |      |         |       |          |             |    |
|  |  |                 |      |         |       |          |             |    |
|  |  |                 |      |         |       |          |             |    |
|  |  |                 |      |         |       |          |             |    |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

|   |    |   |
|---|----|---|
|   | AA | Guy Tridgell, "Turf Wars", Daily Southtown, July 30, 2003   |
|   | BB | ASTM Standard Consumer Safety Specification for Playground Equipment for Public Use (Designation F 1487 – 98) / CPSC Handbook for Public Playground Safety (Pub. No. 325) |
|   | CC |   |
| EXAMINER  |    | DATE CONSIDERED   |
| *EXAMINER: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. |    |   |